

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,
4 Plaintiff,
5 v.
6 TYLER MONSON,
7 Defendant.

Case No. 3:25-cr-00006-MMD-CLB

FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
ORDER

9 **FINDINGS OF FACT**

10 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
11 Court finds that:

12 1. The continuance is necessary for the following reasons. First, the failure to grant
13 this continuance would deny counsel for the defendant the reasonable time necessary for
14 effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C.
15 § 3161(h)(7)(B)(iv).

16 2. The client is detained and consents to the continuance.

17 3. Counsel for the defendant will need additional time to conduct investigation in
18 this case in order to determine whether there are any pretrial issues that must be litigated and
19 whether the case will ultimately go to trial or resolved through negotiations.

20 4. The additional time requested herein is not sought for purposes of delay, but
21 merely to allow counsel for the defendant sufficient time to complete necessary research,
22 prepare and submit appropriate pretrial motions.

23 5. The proposed date would allow counsel to represent other clients zealously and
24 still allow for meaningful investigation and litigation of this case, including the filing of pretrial
25
26

1 and trial motions.

2 6. Denial of this request for continuance would deny counsel for the defendant
3 sufficient time to effectively and thoroughly prepare and submit pretrial motions and notices of
4 defense, taking into account the exercise of due diligence.

5 7. Additionally, denial of this request for continuance could result in a miscarriage
6 of justice. The additional time requested by this stipulation is excludable in computing the time
7 within which the trial herein must commence pursuant to the Speedy Trial Act, § 3161(h)(7)(A),
8 considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and
9 3161(h)(B)(iv).

10 This is the first stipulation to continue filed herein.

11 **CONCLUSIONS OF LAW**

12 The ends of justice served by granting said continuance outweigh the best interest of the
13 public and the defendant in a speedy trial, since the failure to grant said continuance would be
14 likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the
15 opportunity within which to be able to effectively and thoroughly prepare for trial, taking into
16 account the exercise of due diligence.

17 The continuance sought herein is excludable under the Speedy Trial Act, Title 18,
18 United States Code, Section 3161 (h)(7)(A), when the considering the factors under Title 18,
19 United States Code, Section 3161(h)(7)(B)(i) and (iv).
20
21
22
23
24
25
26

ORDER

IT IS THEREFORE ORDERED that the parties herein shall have to and including May 7, 2025 to file any and all pretrial motions and notice of defense.

IT IS FURTHER ORDERED that the parties shall have to and including May 21, 2025 to file any all responses.

IT IS FURTHER ORDERED that the parties shall have to and including May 28, 2025 to file any and all replies.

IT IS FURTHER ORDERED that the calendar call currently scheduled for March 17, 2025 at 9:00 a.m. be vacated and continued to June 9, 2025 at 9:00 a.m., and the trial scheduled for April 8, 2025 at 9:00 a.m., be vacated and continued to July 1, 2025 at 9:00 a.m.

DATED this 6th of March, 2025.

A handwritten signature in blue ink, appearing to read 'Miranda M. Du', is written over a horizontal line.

MIRANDA M. DU
UNITED STATES DISTRICT JUDGE